

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PATRICIA RUZAKOWSKI and LUKE A. KUTILEK

Application 10/693,463

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on February 6, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

EXAMINER'S ANSWER

A review of the Image File Wrapper (IFW) reveals that the Examiner's Answer, mailed October 19, 2005, is deemed non-compliant with **the Manual of Patenting Examining Procedure (MPEP)** § 1207.02. The IFW application reveals that the following content is missing from the Examiner's Answer:

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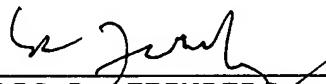
Section "**(8) Evidence Relied Upon**," fails to list the relevant reference applied in the rejection currently on appeal. Correction is required pertaining to the headings and content required in the Examiner's Answer.

Accordingly, it is

ORDERED that the application is returned to the examiner for: 1) a revised Examiner's Answer in accordance with the **MPEP** § 1207.02; and 2) such further action as may be appropriate.

BOARD OF PATENT APPEALS
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By:


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